

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

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KATHY BARLETTA; ROY BARNES;	:	
JACKIE BODNAR; JAMES BODNAR,	:	
JR.; JAMES BODNAR, SR.; GENE	:	CIVIL ACTION
BOYLE; BRIAN CORCH; MICHAEL	:	
CRAIG; LESTER DIETRICH; JOHN	:	NO. _____
LAWSON, VICTOR LEONZI; DENNIS	:	
MILLER; DON MILLER; JOHN MOTTO;	:	JURY TRIAL DEMANDED
FRANCIS PURCELL; RICHARD	:	
STEVENOSKY; ROBERT TIRPAK;	:	
JOSEPH VIECHEC; and ROBERT	:	
WANICK, on behalf of themselves and	:	
similarly situated employees,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	
	:	
LAGANA PLUMBING AND HEATING,	:	
INC. and LAGANA CONSTRUCTION	:	
SERVICES,	:	
	:	
Defendants.	:	

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**CLASS ACTION COMPLAINT**

Plaintiffs Kathy Barletta, Roy Barnes, Jackie Bodnar, James Bodnar, Jr., James Bodnar, Sr., Gene Boyle, Brian Corch, Michael Craig, Lester Dietrich, John Lawson, Victor Leonzi, Dennis Miller, Don Miller, John Motto, Francis Purcell, Richard Stevenosky, Robert Tirpak, Joseph Viechec, and Robert Wanick, on behalf of themselves and similarly situated employees, bring this lawsuit against Defendants Lagana Plumbing and Heating, Inc., and Lagana Construction Services

seeking to recover for violations of the Fair Labor Standards Act of 1938 (“FLSA”), 29 U.S.C. §§ 201, *et seq.*, the Pennsylvania Minimum Wage Act of 1968 (“PMWA”), 43 P.S. §§ 333.101, *et seq.*, and the Pennsylvania Wage Payment and Collection Law (“PWPCCL”), 43 P.S. §§ 260.1, *et seq.* Except where otherwise indicated, Plaintiffs assert their FLSA claim as a collective action pursuant to 29 U.S.C. § 216(b), and they assert their PMWA and PWPCCL claims as a class action pursuant to Federal Rule of Civil Procedure 23. The following allegations are based on personal knowledge as to Plaintiffs’ own acts and are made on information and belief as to the acts of others.

### **JURISDICTION AND VENUE**

1. This Court has jurisdiction over Plaintiffs’ FLSA claim pursuant to 29 U.S.C. §216(b) and 28 U.S.C. §§ 1331-32, and it has jurisdiction over Plaintiffs’ PMWA and PWPCCL claims pursuant to 28 U.S.C. §§ 1332 and 1367.

2. Venue in this Court is proper pursuant to 28 U.S.C. § 1391.

### **PARTIES**

3. Plaintiff Kathy Barletta is an individual residing at 15 South Kennedy Drive, McAdoo, Pennsylvania 18237.

4. Roy Barnes is an individual residing at 1414 Center Street, Ashland, Pennsylvania 17921.

5. Plaintiff Jackie Bodnar is an individual residing at 103 North Pine Tree Road, Hazelton, Pennsylvania 18201.
6. Plaintiff James Bodnar, Jr., is an individual residing at 38 W. Maine Street, Beaverbrook, Pennsylvania 18201.
7. Plaintiff James Bodnar, Sr. is an individual residing at 103 North Pine Tree Road, Hazelton, Pennsylvania 18201.
8. Plaintiff Gene Boyle is an individual residing at 154 Orwigsburg Street, Tamaqua, Pennsylvania 18252.
9. Plaintiff Brian Corch is an individual residing at 71 Spring Street, McAdoo, Pennsylvania 18237
10. Plaintiff Michael Craig is an individual residing at 706 E. Diamond Avenue, Hazelton, Pennsylvania 18201.
11. Plaintiff Lester Dietrich is an individual residing at 428 Rollingmill Avenue, Tamaqua, Pennsylvania.
12. John Lawson is an individual residing at 231 Laurel Road, Deer Lake, Pennsylvania.
13. Plaintiff Victor Leonzi is an individual residing at 316 Market Street, Tamaqua, Pennsylvania 18252.
14. Plaintiff Dennis Miller is an individual residing at 161 Owl Creek Road, Tamaqua, Pennsylvania 18252.

15. Plaintiff Don Miller is an individual residing at 111 Second Street, Coaldale, Pennsylvania.

16. Plaintiff John Motto is an individual residing at 863 Peice Street, Hazelton, Pennsylvania 18201.

17. Francis Purcell is an individual residing at 431 Pleasant Street, Minersville, Pennsylvania 17954.

18. Plaintiff Richard Stevenosky is an individual residing at 12 Lower Beechwood Avenue, Pottsville, Pennsylvania 17901.

19. Robert Tirpak is an individual residing at 60 Ye Old Hauto Road, Tamaqua, Pennsylvania 18252.

20. Joseph Viechec is an individual residing at 686 Grant Street, Hazleton, Pennsylvania 18201.

21. Robert Wanick is an individual residing at 336 West County Road, Sugarloaf, Pennsylvania 18249.

22. Defendant Lagana Plumbing & Heating, Inc. is a Pennsylvania corporation maintaining a principal place of business in Hazleton, Pennsylvania and registered to do business in the Commonwealth of Pennsylvania.

23. Defendant Lagana Construction Services is a Pennsylvania corporation maintaining a principal place of business in Hazleton, Pennsylvania and registered to do business in the Commonwealth of Pennsylvania. Upon

information and belief, Lagana Construction Services is a wholly-owned subsidiary of Lagana Plumbing & Heating, Inc.

24. During all relevant times, Lagana Plumbing & Heating, Inc. and Lagana Construction Services acted in each other's business interests and were "joint employers" with respect the above-listed Plaintiffs, whose work simultaneously benefited both Lagana Plumbing & Heating, Inc. and Lagana Construction Services.

25. Lagana Plumbing & Heating, Inc. and Lagana Construction Services are collectively referred to herein as "Lagana" or "Defendants."

### **FACTUAL ALLEGATIONS**

#### **A. Lagana's General Business Operations**

26. Lagana is a construction company that, during the relevant time period, acted as a contractor on road and highway construction projects throughout the Commonwealth of Pennsylvania.

27. During all relevant times, Lagana worked pursuant to contracts with the federal government or on construction jobs that are federally funded. As such, during the relevant time period, Lagana engaged in interstate commerce.

#### **B. Lagana's Common Business Practices**

28. Over the past three years, Lagana has directly employed well over 100 construction workers, who perform manual labor on Lagana's behalf at

construction job sites throughout the Commonwealth. These employees are referred to herein as “the Workers.”

29. Pursuant to Lagana’s common business policies and practices, the Workers’ job duties were limited to the types of manual labor and repetitive physical tasks generally associated with the construction industry. The Workers did not perform professional, managerial, or administrative duties and were not exempt from the wage and hour requirements set forth in the FLSA, the PMWA, or the PWPCCL.

30. Pursuant to Lagan’s common business policies and practices, the Workers regularly and consistently worked over 40 hours per workweek and were not paid any wages for many of these work hours.

31. Moreover, even when Lagana did compensate the Workers for hours worked over 40 in a workweek, Lagana, pursuant to its common business policies and practices, never paid the Workers the legally mandated overtime compensation premium calculated at 150% of their regular rate of pay. *See* 29 U.S.C. § 207(a)(1); 43 P.S. § 333.104(c).

32. Upon information and belief, Lagana, pursuant to its common business policies and practices, failed to maintain and preserve accurate records containing, *inter alia*, each Workers’ regular hourly rate of pay for each workweek,

the hours worked each workday and workweek, or the total premium pay for overtime hours worked in particular workweeks.

**C. Facts Pertaining to the Individual Plaintiffs**

33. Within the past three years, the Plaintiffs referenced in paragraphs 3-20 *supra* were employed by Lagana as construction workers and performed work at Lagana's various job sites throughout Pennsylvania.

34. Pursuant to Lagana's common business policies and practices, the Workers' job duties were limited to the types of manual labor and repetitive physical tasks generally associated with the construction industry. The Workers did not perform professional, managerial, or administrative duties and were not exempt from the wage and hour requirements set forth in the FLSA, the PMWA, or the PWPCCL.

35. Each Plaintiff regularly and consistently worked over 40 hours per workweek, and Lagana, pursuant to its common business policies and practices, regularly failed to compensate each Plaintiff for many of their working hours.

36. Moreover, Lagana, pursuant to its common business policies and practices, never paid any Plaintiff the required overtime premium of 150% of the Plaintiff's regular rate of pay for hours worked over 40 in a workweek.

37. In failing to compensate Plaintiffs for all hours worked and failing to pay Plaintiffs the legally mandated overtime premium, Lagana acted willfully and with reckless disregard of clearly applicable PMWA provisions.

### **COLLECTIVE ACTION ALLEGATIONS**

38. Plaintiffs assert their FLSA claim pursuant to 29 U.S.C. § 216(b) as a collective action on behalf of the following class of potential opt-in litigants:

All individuals who performed construction work on behalf of Lagana or any of their business affiliates since May 2, 2003.

39. Plaintiffs and the above class members are “similarly situated,” as that term is defined in 29 U.S.C. § 216(b), because, *inter alia*, all class members worked pursuant to Lagana’s common business practices and, as a result of such practices, were not compensated for all work performed during the workweek and, with respect to such work, were not paid the legally mandated overtime premium.

### **CLASS ACTION ALLEGATIONS**

40. Plaintiffs assert their PMWA and PWPCl claims pursuant to Federal Rule of Civil Procedure 23 as a class action on behalf of the following individuals:

All individuals who performed construction work on behalf of Lagana or any of their business affiliates since May 2, 2003.



41. The above-described class includes over one hundred persons, all of whom are readily ascertainable based on Lagana's standard business records and are so numerous that joinder of all class members is impracticable.

42. Plaintiffs are class members, and their claims are typical of the claims of other class members. Plaintiffs have no interests that are antagonistic to or in conflict with the interests they have undertaken to represent on behalf of the class as class representatives.

43. Plaintiffs will fairly and adequately represent the class and their interests, and they have retained competent and experienced counsel who will effectively represent the interests of the entire class.

44. Questions of law and fact are common to the class and include whether, based on Lagana's common business practices, Lagana, *inter alia*, fail to compensate class members for all work performed during the workday and, with respect to such work, fail to pay class members the legally mandated overtime premium.

45. Class certification is appropriate under Federal Rule of Civil Procedure 23(b)(1) because the prosecution of separate actions by individual class members would create a risk of inconsistent or varying adjudications which would establish incompatible standards of conduct for Lagana and/or because

adjudications with respect to individual class members would as a practical matter be dispositive of the interests of other class members.

46. Class certification is appropriate under Federal Rule of Civil Procedure 23(b)(2) because Lagana acted or refused to act on grounds generally applicable to the class, making appropriate declaratory and injunctive relief with respect to Plaintiffs and the class as a whole. Class members are entitled to injunctive relief to end Lagana's common business practices of, *inter alia*, failing to compensate class members for all hours worked and, with respect to such hours, failing to pay class members the legally mandated overtime premium.

47. Class certification is appropriate under Federal Rule of Civil Procedure 23(b)(3) because common questions of law and fact predominate over any questions affecting only individual class members, and because a class action is superior to other available methods for the fair and efficient adjudication of this litigation. The damages suffered by individual class members are small compared to the expense and burden of individual prosecution of this litigation. In addition, class certification is superior because, *inter alia*, it will obviate the need for unduly duplicative litigation, which might result in inconsistent judgments about Lagana's business practices.

48. Plaintiffs know of no difficulty that will be encountered in the management of this litigation and preclude its maintenance as a class action.

**COUNT I**

**(Alleging Violations of the FLSA)**

49. All previous paragraphs are incorporated as though fully set forth herein.

50. The FLSA requires that covered employees be compensated for every hour worked in a workweek. *See* 29 U.S.C. § 206(b).

51. The FLSA requires that covered employees receive overtime compensation “not less than one and one-half times” the employee’s regular rate of pay for all hours worked over 40 in a workweek. *See* 29 U.S.C. § 207(a)(1).

52. Plaintiffs and the class are covered employees entitled to the FLSA’s protections.

53. Plaintiffs and the class are not exempt from receiving FLSA overtime benefits because, *inter alia*, they are not “executive,” “administrative,” or “professional” employees, as those terms are defined under the FLSA. *See* 29 C.F.R. §§ 541.0, *et seq.*

54. Defendants are covered employers required to comply with the FLSA’s mandates.

55. Defendants have violated the FLSA with respect to Plaintiffs and the class by, *inter alia*, failing to compensate Plaintiffs and the class for all hours

worked and, with respect to such hours, failing to pay Plaintiffs and the class the legally mandated overtime premium for such work.

56. The FLSA requires employers to maintain detailed payroll data concerning all covered employees. *See* 29 U.S.C. § 211(c); 29 C.F.R. § 516.2.

57. In violating the FLSA, Defendants acted willfully and with reckless disregard of clearly applicable FLSA provisions.

## **COUNT II**

### **(Alleging Violations of the PMWA)**

58. All previous paragraphs are incorporated as though fully set forth herein.

59. The PMWA requires that covered employees be compensated for every hour worked in a workweek. *See* 43 P.S. § 333.104(a).

60. The PMWA requires that employees receive overtime compensation “not less than one and one-half times” the employee’s regular rate of pay for all hours worked over 40 in a workweek. *See* 43 P.S. § 333.104(c).

61. Plaintiffs and the class are covered employees entitled to the PMWA’s protections.

62. Plaintiffs and the class are not exempt from receiving PMWA overtime benefits because they are not exempt “executive,” “administrative,” or

“professional” employees, as those terms are defined under the PMWA. *See* 43 P.S. § 333.105(5); 34 Pa. Code §§ 231.82-231.84.

63. Defendants are covered employers required to comply with the PMWA’s mandates.

64. Defendants have violated the PMWA with respect to Plaintiffs and the class by, *inter alia*, failing to compensate Plaintiffs and the class for all hours worked and, with respect to such hours, failing to pay Plaintiffs and the class the legally mandated overtime premium for such work.

65. In violating the PMWA, Defendants acted willfully and with reckless disregard of clearly applicable PMWA provisions.

### **COUNT III**

#### **(Alleging Violations of the PWPCL)**

66. All previous paragraphs are incorporated as though fully set forth herein.

67. The PWPCL requires that covered employees be compensated for every hour worked in a workweek. *See* 43 P.S. § 260.3.

68. Plaintiffs and the class are covered employees entitled to the PWPCL’s protections.

69. Defendants are covered employers required to comply with the PWPCL’s mandates.

70. Defendants have violated the PWPCL with respect to Plaintiffs and the class by, *inter alia*, failing to compensate Plaintiffs and class members for all hours worked.

71. In violating the PWPCL, Defendants acted willfully and with reckless disregard of clearly applicable PWPCL provisions.

**PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiffs seek the following relief on behalf of themselves and all others similarly situated:

A. An order permitting this litigation to proceed as a collective action pursuant to 29 U.S.C. § 216(b) and as a class action pursuant Federal Rule of Civil Procedure 23;

B. Prompt notice, pursuant to 29 U.S.C. § 216(b), of this litigation to all potential class members;

C. An injunction prohibiting Defendants from engaging in future violations of the FLSA, PMWA, or PWPCL;

D. Compensatory and back pay damages to the fullest extent permitted under federal and state law;

E. Liquidated damages to the fullest extent permitted under federal and state law;

F. Litigation costs, expenses, and attorneys' fees to the fullest extent permitted under federal and state law; and

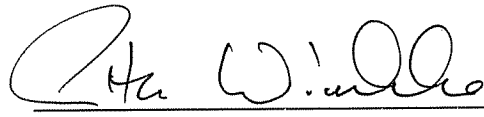
G. Such other and further relief as this Court deems just and proper.

**DEMAND FOR JURY TRIAL**

Plaintiffs demand a trial by jury as to all claims so triable.

Date: May 2, 2006

Michael J. O'Connor  
Colleen Fowler  
MICHAEL J. O'CONNOR &  
ASSOCIATES  
608 West Oak Street  
P.O. Box 201  
Frackville, PA 17931  
Phone: (570) 874-3300  
Fax: (570) 874-4822



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Ira N. Richards  
Peter Winebrake  
R. Andrew Santillo  
TRUJILLO RODRIGUEZ &  
RICHARDS, LLC  
226 W. Rittenhouse Square  
32<sup>nd</sup> Floor  
Philadelphia, PA 19103  
Phone: (215) 731-9004  
Fax: (215) 731-9044

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

KATHY BARLETTA, *et al.*,

on behalf of themselves and similarly situated  
employees,

Plaintiffs,

v.

LAGANA PLUMBING AND HEATING, INC. and  
LAGANA CONSTRUCTION SERVICES,  
Defendants.

CIVIL ACTION

NO. \_\_\_\_\_

JURY TRIAL DEMANDED

**NOTICE OF INTENT TO PARTICIPATE AS PARTY  
TO FLSA LAWSUIT PURSUANT TO 29 U.S.C. §216(b)**

**TO THE CLERK OF COURT:**

I hereby consent to become a party plaintiff in the above-captioned action and express my desire to participate in this action as a party plaintiff. I agree to be jointly represented by the law firms of Michael J. O'Connor & Associates, Trujillo Rodriguez & Richards, LLC, and any other law firm approved by the Court to represent the interests of myself and other workers. I understand that, by filing this form, I will be bound by the judgment of the Court on all issues in this case.

April 27, 2006  
Date

Kathleen S. Barletta  
Signature

Kathleen S. Barletta  
Name (Please Print Clearly)

15 S. Kennedy Drive  
Street Address

McAdoo PA 18237  
City, State, Zip Code

570-929-3618  
Phone



IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

KATHY BARLETTA, *et al.*,

on behalf of themselves and similarly situated  
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4/28/06  
Date

Julie Bodnar  
Signature

JACKIE Bodnar  
Name (Please Print Clearly)

103 NORTH Pine Street  
Street Address

Hazleton PA 18201  
City, State, Zip Code

455-0235  
Phone

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIAKATHY BARLETTA, *et al.*,on behalf of themselves and similarly situated  
employees,

Plaintiffs,

v.

LAGANA PLUMBING AND HEATING, INC. and  
LAGANA CONSTRUCTION SERVICES,  
Defendants.

CIVIL ACTION

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4-28-06  
DateJames E Bodnar SR  
SignatureJAMES E BODNAR SR  
Name (Please Print Clearly)103N Pine Tree Road  
Street AddressHAZLETON PA 18201  
City, State, Zip Code570-455-0235  
Phone

IN THE UNITED STATES DISTRICT COURT  
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CIVIL ACTION

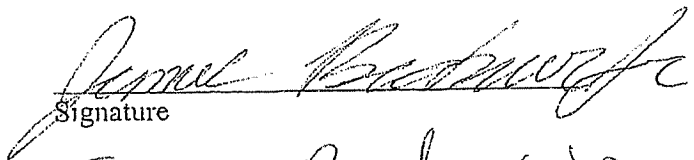
NO. \_\_\_\_\_

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4/28/06  
Date  
SignatureJames Bodnar Jr  
Name (Please Print Clearly)38 West maine St  
Street AddressBeaver Brook PA 18201  
City, State, Zip Code

(570)

929-2310  
Phone

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

KATHY BARLETTA, *et al.*,

on behalf of themselves and similarly situated  
employees,

Plaintiffs,

v.

LAGANA PLUMBING AND HEATING, INC. and  
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04-28-06  
Date

Gene Boyle  
Signature  
Gene Boyle  
Name (Please Print Clearly)  
154 Orangeburg St  
Street Address  
TAMARCA PA 18252  
City, State, Zip Code  
570-668-5633  
Phone

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

KATHY BARLETTA, *et al.*,

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4-28-06  
Date

Brian A Corch  
Signature

BRIAN A CORCH  
Name (Please Print Clearly)

71 Spring St  
Street Address

McAdoo PA 18237  
City, State, Zip Code

570 929-2510  
Phone

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIAKATHY BARLETTA, *et al.*,on behalf of themselves and similarly situated  
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Plaintiffs,

v.

LAGANA PLUMBING AND HEATING, INC. and  
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4-28-06  
DateMichael A. Craig  
SignatureMICHAEL A. CRAIG  
Name (Please Print Clearly)706 E. DIAMONA AVE.  
Street AddressHAZLETON PA. 18201  
City, State, Zip Code(570) - 455-8032  
Phone

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

KATHY BARLETTA, *et al.*,

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4-28-06  
Date

Lester Dietrich  
Signature

Lester Dietrich  
Name (Please Print Clearly)

429 ROLLINGMILL AVE  
Street Address

TAMAQUA, PA. 18252  
City, State, Zip Code

668-0667  
Phone

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4-28-06  
Date

Victor J. Leonzi  
Signature

VICTOR J. LEONZI  
Name (Please Print Clearly)

314 MARKET ST.  
Street Address

TAMMQUA PA. 18252  
City, State, Zip Code

570-668-1181  
Phone

CELL - 527-0334



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4-28-06  
Date

Dennis M Miller  
Signature

DENNIS M MILLER  
Name (Please Print Clearly)

161 OWL CREEK RD  
Street Address

TAMAGUA PA 18252  
City, State, Zip Code

570-668-5004  
Phone

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIAKATHY BARLETTA, *et al.*,on behalf of themselves and similarly situated  
employees,

Plaintiffs,

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**NOTICE OF INTENT TO PARTICIPATE AS PARTY  
TO FLSA LAWSUIT PURSUANT TO 29 U.S.C. §216(b)****TO THE CLERK OF COURT:**

I hereby consent to become a party plaintiff in the above-captioned action and express my desire to participate in this action as a party plaintiff. I agree to be jointly represented by the law firms of Michael J. O'Connor & Associates, Trujillo Rodriguez & Richards, LLC, and any other law firm approved by the Court to represent the interests of myself and other workers. I understand that, by filing this form, I will be bound by the judgment of the Court on all issues in this case.

4/28/06  
Date

Signature

DON NELSON MILLER  
Name (Please Print Clearly)111-2ND STREET  
Street AddressCOALDALE PA. 18218  
City, State, Zip Code570 645-8477  
Phone

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

KATHY BARLETTA, *et al.*,

on behalf of themselves and similarly situated  
employees,

Plaintiffs,

v.

LAGANA PLUMBING AND HEATING, INC. and  
LAGANA CONSTRUCTION SERVICES,  
Defendants.

CIVIL ACTION

NO. \_\_\_\_\_

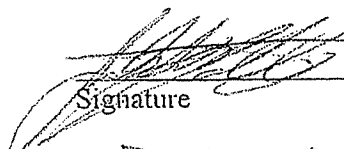
JURY TRIAL DEMANDED

**NOTICE OF INTENT TO PARTICIPATE AS PARTY  
TO FLSA LAWSUIT PURSUANT TO 29 U.S.C. §216(b)**

**TO THE CLERK OF COURT:**

I hereby consent to become a party plaintiff in the above-captioned action and express my desire to participate in this action as a party plaintiff. I agree to be jointly represented by the law firms of Michael J. O'Connor & Associates, Trujillo Rodriguez & Richards, LLC, and any other law firm approved by the Court to represent the interests of myself and other workers. I understand that, by filing this form, I will be bound by the judgment of the Court on all issues in this case.

4-28-06  
Date

  
Signature

JOHN J. MOTTO  
Name (Please Print Clearly)

863 PEACE ST.  
Street Address

HAZLETON, PA 18201  
City, State, Zip Code

520-401-2634  
Phone

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

KATHY BARLETTA, *et al.*,

on behalf of themselves and similarly situated  
employees,

Plaintiffs,

v.

LAGANA PLUMBING AND HEATING, INC. and  
LAGANA CONSTRUCTION SERVICES,  
Defendants.

CIVIL ACTION

NO. \_\_\_\_\_

JURY TRIAL DEMANDED

**NOTICE OF INTENT TO PARTICIPATE AS PARTY  
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Date

Signature

Name (Please Print Clearly)

Street Address

City, State, Zip Code

Phone

7/28/06

Francis J. Porell Jr.

Francis J. Porell Jr.

431 Pleasant St

Milwaukee WI

15705445408

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

KATHY BARLETTA, *et al.*,

on behalf of themselves and similarly situated  
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Plaintiffs,

v.

LAGANA PLUMBING AND HEATING, INC. and  
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CIVIL ACTION

NO. \_\_\_\_\_

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4/28/06  
Date

Signature

Richard Stevenasky  
Name (Please Print Clearly)

12601 Beechwood Ave  
Street Address

Pottsville PA 17901  
City, State, Zip Code

570 544 6168  
Phone

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

KATHY BARLETTA, *et al.*,

on behalf of themselves and similarly situated  
employees,

Plaintiffs,

v.

LAGANA PLUMBING AND HEATING, INC. and  
LAGANA CONSTRUCTION SERVICES,  
Defendants.

CIVIL ACTION

NO. \_\_\_\_\_

JURY TRIAL DEMANDED

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Date

4/27/06

Signature

Name (Please Print Clearly)

Street Address

City, State, Zip Code

Phone

Robert M. Timpak

Robert M. Timpak

60 Ye old Harto Rd.

Tempe, AZ 85282

570 668-2608

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

KATHY BARLETTA, *et al.*,

on behalf of themselves and similarly situated  
employees,

Plaintiffs,

v.

LAGANA PLUMBING AND HEATING, INC. and  
LAGANA CONSTRUCTION SERVICES,  
Defendants.

CIVIL ACTION

NO. \_\_\_\_\_

JURY TRIAL DEMANDED

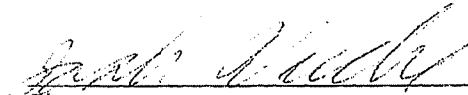
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4-28-06

Date

  
Signature

Joseph V. Lehec  
Name (Please Print Clearly)

686 Grant St  
Street Address

Hazleton, PA 18201  
City, State, Zip Code

(570) 436-3736  
Phone